

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

**In re: Motion to Compel Compliance with
Subpoena Directed to Non-Party Circinus, LLC**

BROIDY CAPITAL MANAGEMENT, LLC and
ELLIOTT BROIDY,

Plaintiffs,

v.

NICOLAS D. MUZIN, JOSEPH ALLAHAM,
GREGORY HOWARD, and STONINGTON
STRATEGIES LLC,

Defendants.

Misc. Action No.: _____

Underlying Litigation:

United States District Court
for the District of Columbia
Civil Action No.: 19-cv-00150-DLF

**NICOLAS D. MUZIN, STONINGTON STRATEGIES, LLC, AND GREGORY
HOWARD’S MOTION TO COMPEL SUBPOENA RESPONSES**

Movants Nicolas D. Muzin, Stonington Strategies LLC, and Gregory Howard (collectively, “Movants”), by counsel and pursuant to Federal Rule of Civil Procedure 45(d)(2)(B)(i), hereby move this Court for an order compelling non-party Circinus, LLC (“Circinus”) to comply with two subpoenas *duces tecum* (“Subpoenas”) served by Movants in this jurisdiction, in connection with an action pending in the United States District Court for the District of Columbia. *Broidy Capital Mgmt., LLC v. Muzin*, 19-cv-00150-DLF (D.D.C.). Movants also respectfully ask this Court to strike or deem waived all of Circinus’s boilerplate and, with regard to one Subpoena, untimely objections.

Despite good-faith efforts to resolve this dispute without the Court’s intervention, Circinus has failed to comply with either Subpoena. For the reasons stated herein, and as explained more fully in the attached Memorandum in Support, Movants thus respectfully request that this Court compel Circinus to fully and promptly comply with each request in the Subpoenas.

Dated: February 11, 2022

Respectfully Submitted,

Jeffrey A. Udell (*pro hac vice* forthcoming)
Adam P. Cohen (*pro hac vice* forthcoming)
Jacob Gardener (*pro hac vice* forthcoming)
WALDEN MACHT & HARAN LLP
250 Vesey Street, 27th Floor
New York, NY 10281
Phone: (212) 335-2030
judell@wmhlaw.com
acohen@wmhlaw.com
jgardener@wmhlaw.com

Counsel for Movant Gregory Howard

/s/ Stephen J. Obermeier
Stephen J. Obermeier (VSB No. 89849)
sobermeier@wiley.law
Rebecca Saitta (VSB No. 65408)
rsaitta@wiley.law
Krystal B. Swendsboe (VSB No. 89614)
kswendsboe@wiley.law
WILEY REIN LLP
2050 M Street NW
Washington, DC 20036
Phone: (202) 719-7000
Facsimile: (202) 719-7049

*Attorneys for Movants Stonington
Strategies LLC and Nicolas D. Muzin*

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2022, the foregoing Motion, Memorandum in Support, and accompanying exhibits were filed with the Court's CM/ECF system and were served, via electronic mail, upon the below individuals.

Henry B. Brownstein
KASOWITZ BENSON TORRES LLP
1399 New York Ave. NW, Suite 201
Washington, DC 20005
hbrownstein@kasowitz.com

Randall Adam Brater
ARENT FOX LLP
1717 K Street NW
Washington, DC 20006
Randall.brater@arentfox.com

Andrew R. Kurland
Daniel R. Benson
Jacob I. Benson
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, NY 10019
akurland@kasowitz.com
dbenson@kasowitz.com
jbenson@kasowitz.com

Eric Roman
Mohammed T. Farooqui
Nicholas Collins
ARENT FOX LLP
1301 Avenue of the Americas, Floor 42
New York, NY 10019
Eric.roman@arentfox.com
mohammed.farooqui@arentfox.com
Nicholas.collins@arentfox.com

*Counsel for Plaintiffs Broidy Capital
Management and Elliott Broidy and
for Non-Party Circinus, LLC*

Counsel for Defendant Joseph Allaham

David M. Zionts
Alexander A. Berengaut
Megan O'Neill
COVINGTON & BURLING LLP
One City Center
850 10th St. NW
Washington, DC 20001
dziontz@cov.com
aberengaut@cov.com
moneill@cov.com

/s/ Stephen J. Obermeier
Stephen J. Obermeier
*Attorney for Movants Stonington Strategies
LLC and Nicolas D. Muzin*

*Counsel for Interested Non-Party State of
Qatar*